

PATENT APPLICATION  
Mo5158D3  
LeA 32,122D3

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

APPLICATION OF )  
ANDREW PLANT ET AL )  
SERIAL NUMBER: TO BE ASSIGNED )  
FILED: HEREWITH )  
TITLE: CYCLIC IMINES AS PESTICIDES )

**INFORMATION DISCLOSURE STATEMENT**  
**PURSUANT TO 37 C.F.R. 1.97 AND 1.98**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

This Information Disclosure Statement Pursuant to 37 C.F.R. Section 1.97 and 1.98 is being submitted before the first Office Action in order that the Patent and Trademark Office may consider the relevancy of certain information to the invention described and claimed in the subject application, and in compliance with the regulations concerning information disclosure statements.

As permitted by 37 C.F.R. 1.98(d)(1) and (2), Applicants are not supplying herewith copies of any patent, publication, pending U.S. application or other information listed on the accompanying Form PTO 1449.

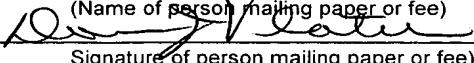
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The present application is a Divisional application of U.S. Patent Application Serial Number 09/297,964, filed May 11, 1999, (the "Earlier Application(s)") which Earlier Application(s) is (are) relied upon for an earlier effective filing date under 35 U.S.C. Section 120. The Information cited on the accompanying Form PTO 1449 was cited in and copies thereof were provided with one or more Information Disclosure Statements and/or Forms PTO1449 filed in the Earlier Application(s).

More particularly, this Information was cited and copies thereof were provided in the Earlier Application(s) by way of:

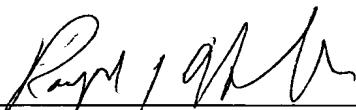
Form PTO 1449 filed May 11, 1999 in Serial Number 09/297,964; filed May 11, 1999 in Serial Number 09/659,041 and filed May 11, 1999 in Serial Number 10/028,648.

Additional Information may have been cited in, and copies thereof may have been provided by the U.S.P.T.O. with, one or more Forms PTO 892 in the Earlier Application(s). Applicants request that such Information also be made of record in the case.

This Information Disclosure Statement should not be construed as a representation that a search has been made, that additional Information material to the examination of this application does not exist, that any document mentioned herein constitutes prior art, or that the documents listed severally or in any combination with one another or with any other information, are believed to render any claim in the subject application *prima facie* unpatentable.

Respectfully submitted,

By



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Form PTO 1449 Rev. 7-80	U.S. Department of Commerce Patent and Trademark Office LIST OF PRIOR ART CITED BY APPLICANT (Use Several Sheets If Necessary)	Atty. Docket No. Mo5158D3/LeA 32,122	Serial No. To Be Assigned
		Applicant Andrew Plant et al	
		Filing Date Herewith	Group 1613

## U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
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## FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
							Yes	No*
	AL	94/29268	12/22/94	World Patent				X
	AM							
	AN							
	AO							
	AP							

## OTHER PRIOR ART (Including Author, Title, Date, Pertinent Pages, Etc.)

	AR	Organic Preparations and Procedures International, Vol. 25, No. 2, (month unavailable) 1993, Wei et al, A Practical Procedure for the Synthesis of 5-Substituted $\gamma$ -Lactams, pages 255-258					
	AS	J. Org. Chem., 56 (month unavailable) 1991, pages 1822-1827, Savoia et al, Organometallic Reactions of $\omega$ -Heterosubstituted N-Acyl Lactams. A New Route to $\gamma$ -Keto Aldehydes from 5-Ethoxy-2-pyrrolidinone					
	AT	Synthesis, April 1980, pages 315-317, Eine einfache Herstellung von $\omega$ -Alkoxylactamen durch anodische Alkoxylierung, Michael Mitzlaff et al					

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EXAMINER Initial if referenced considered, whether or not citation is in conformance with MPEP 609. Draw line through if not in conformance and not considered. Include copy of this form with next communication to applicant.

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AR	Recueil des Travaux Chim. Des Bays-Bas 81, (month unavailable) 1962, pages 786-791, G.B.R. DeGraaff et al, A Novel Synthesis of the Diastereomeric 5-Phenylprolines	
AS	Chem. Ber. 120, (month unavailable) 1987, pages 285-290, Mormann et al, Synthese und Stabilisierung von Isocyanatöketenen	
AT	J. Am. Chem. Soc., 77, December 5, 1955, pages 6269-6280, Kornblum et al, The Mechanism of the Reaction of Silver Nitrite with Alkyl Halides. The Contrasting Reactions of Silver and Alkali Metal Salts with Alkyl Halides. The Alkylation of Ambident Anions <sup>1,2</sup>	

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AR	J. Am. Chem. Soc. 86, July 5, 1964, pages 2681-2686, Kornblum et al, The Synthesis and Characterization of Nitronic Esters <sup>1,2</sup>	
AS	Tetrahedron Letters, Vol. 22, No. 39, Pages 3815-3818, Nahm et al, N-Methoxy-N-Methylamides As Effective Acylating Agents, (month unavailable) 1981	
AT	Helv. Chim. Acta, Vol. 68, (month unavailable) 1985, pages 162-172, Seebach et al, Über den Sterischen Verlauf der Umsetzung von Enaminen aus offenkettigen Aldehyden und Ketonen mit Nitroolefinen zu 2,3-disubstituierten 4-Nitroketonen <sup>1</sup>	

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	AR		Tetrahedron, Vol. 45, No. 7, pages 2099-2108 (month unavailable) 1989, Felluga et al, Highly
			Diastereoselective Synthesis of Cyclic Nitronic Esters from 1-(4-Morpholinyl)-1-Phenylpropene with Nitroolefins
	AS		Organic Syntheses, Vol. 58, (month unavailable) 1987, page 56, Cyclopentenones from
			$\alpha,\alpha'$ -Dibromoketones and Enamines: 2,5-Dimethyl-3-Phenyl-2-Cyclopenten-1-one
	AT		Synthetic Communications, 17(2), pages 211-217 (month unavailable) 1987, Dryanska et al
			Phase-Transfer Catalyzed Additions. V. Addition of N-Diphenylmethylenebenzylamine to B-Unsaturated Ketones

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	AR	Tetrahedron Letters, No. 30, pages 2641-2644, O'Donnell et al, The Synthesis of Amino Acids By Phase-Transfer Reactions (month unavailable) 1978					
	AS	Tetrahedron, Vol. 30, pages 2027-2032, (month unavailable) 1974, McMurry et al, Ketone Methylenation Without Epimerization: Total Synthesis of ( $\pm$ ) Laurene					
	AT	Chem. Rev. (month unavailable) 1995, 95, pages 2457-2483, Miyaura et al, Palladium- Catalyzed Cross-Coupling Reactions of Organoboron Compounds					

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	AR	Pure & Appl. Chem. Vol. 66, No. 2, Pages 213-222 (month unavailable) 1994, Akira Suzuki, New synthetic transformations via organoboron compounds					
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